IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 740 of 2007()

(CRIME NO.6 OF 2007 OF AMARAVILA EXCISE RANGE)

PETITIONER/ ACCUSED:

SANTHOSH, AGED 32, S/O.PALAYYAN,
KIZHAKKEKARA, PUTHEN VEEDU,
VENKOTTUKUZHY, KAVALLOR,
KAVALLOR DESOM, KEEZHAROOR VILLAGE,
NEYYATTINKARA TALUK.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS/COMPLAINANT:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR,
HIGH COURT OF KERALA, REPRESENTING
EXCISE INSPECTOR,AMARAVILA EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 740 OF 2007

- - - - - - - - - ----------- - - - - -

DATED THIS THE 9th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in Cr.No.6/07 of Amaravila Excise Range for an offence punishable under section 8(1) of the Abkari Act for allegedly having been found in possession of 5 litres of arrack on 27.1.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn